



**MECKLENBURG COUNTY ORDINANCE
GOVERNING LICENSES FOR
HEALTH MASSAGE/BODYWORK THERAPISTS**

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MECKLENBURG COUNTY ORDINANCE GOVERNING LICENSES FOR HEALTH MASSAGE/BODYWORK THERAPISTS

Section 1. Purpose

(a) In the interest of public health, safety, welfare and morals, and to protect the public from unqualified practitioners and unethical businesses, the following privilege license provision and regulations are hereby adopted.

(b) The provisions of this article shall not apply to:

- (i) Physicians, surgeons, chiropractors, osteopaths, physical therapists or podiatrists duly licensed to practice in this State, and Registered or Licensed practical Nurses governed by the North Carolina Nursing Practices Act.
- (ii) Athletic directors or trainers who are affiliated with an approved educational institution or professional sports team and whose work is limited to athletic team members.
- (iii) Licensed cosmetologists, barbers or beauty culturists who do not give or hold themselves out to give massage treatments other than customarily given in such establishments, solely for the purpose of beautification.

Section 2. Definitions

As used in this article, the following words and phrases shall have the following meaning:

- (a) **Health Massage/Bodywork Therapy** means systems of activity applied to the superficial or deep tissues (muscles, tendons, ligaments, connective tissue, skin) of the body by means of applying pressure with the hands, feet, arms, or elbows for therapeutic and/or relaxing purposes. Soft tissue health massage/bodywork practices are designed to promote general relaxation, improve flexibility and pliability of the soft tissues or relieve stress and muscle hypertension, and to enhance a general sense of well-being in the client. The term "therapy" does not include the diagnosis or treatment of illness or disease, medical procedure or the use of modalities for which a license to practice medicine, chiropractic, physical therapy, acupuncture or podiatry is required by law.
- (b) **Health Massage/Bodywork Therapist** means any person, whether male or female, who is engaged in the practice of health massage/bodywork therapy and who has graduated from an institute or school of massage therapy licensed under a state

licensing requirement, or is certified by the American Massage Therapy Association or the National Certification Board for Therapeutic Massage and Body Work, or meets the criteria of Section 3. (d) hereinbelow.

- (c) **Health Massage/Bodywork Therapy Establishment** means any business or establishment wherein health massage/bodywork therapy is performed solely by health massage/bodywork therapists.

Section 3. Licensing

- (a) No person shall perform health massage/bodywork therapy as herein defined unless such a person shall have first applied for and received a privilege license from the City-County Tax Collector. Such privilege license shall be issued only to those persons meeting the definition of health massage/bodywork therapist above.
- (b) Application for the license required by this section shall be upon a form approved by and filed with the City-County Tax Collector. Such application shall include the following information:
 - (i) The name and business address of the applicant: and
 - (ii) A diploma or certificate of graduation from an institute or school of health massage/bodywork therapy whose curriculum is licensed under a state licensing requirement, or a valid document of certification from the American Massage Therapy Association or the National Certification Board for Therapeutic Massage and Body Work, or the information required in Section 3. (d) below.
- (c) Each applicant for a license issued pursuant to this Section shall pay a license in the sum of fifty dollars (\$50.00)
- (d) Any person who has been engaged in the business of health massage/bodywork therapy for at least three (3) years prior to application shall be deemed a health massage/bodywork therapist under this Article provided that:
 - (i) The applicant submit verification and documentation of at least 500 hours of experience in the practice of health massage/bodywork therapy as provided to the authority issuing the license;
 - (ii) Three (3) letters of reference are provided from state-licensed health care professionals or health massage/bodywork therapists licensed under this ordinance, attesting to the sound moral character, professional qualifications, and competence of the applicant;
 - (iii) Applicant pays the application and license fees required under this Article;
 - (iv) The appropriate application required under this ordinance is completed.

Section 4. Persons or Businesses to Use Only Licensed Health Massage/Bodywork Therapists.

- (a) No person or business shall permit anyone to perform health massage/bodywork therapy upon the premises operated by that person or business unless the individual performing health massage/bodywork therapy has been issued a license as required by this Article.
- (b) Every health massage/bodywork therapist shall post the license required by this article in his or her work area at all times.

Section 5. This Ordinance shall become effective July 1, 1993, provided that applications for a license and license taxes shall be due not later than July 2, 1993.

Adopted this the 17th day of May, 1993.